



Inventor(s): BERGMANN, Andreas et al (City, Dkt.)  
 Appl. No.: 09/381,092 or Patent No.: 263260/2769 USAS/KM  
 Filed: September 15, 1999 or Issued: M# / Client Ref.  
 Title: RECEPTOR BINDING ASSAYS FOR THE DETECTION OF YSH RECEPTOR AUTOANTIBODIES AND REAGENTS AND REAGENT KIT FOR CARRYING OUT SUCH A RECEPTOR BINDING ASSAY

**SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS**  
 (37 CFR 1.9(d) and 1.27 (c)) - **SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN B.R.A.H.M.S Diagnostica GmbH  
 ADDRESS OF CONCERN Kornstrasse 19-20, D-12099 Berlin, Germany

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and referenced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above entitled invention, invented by the above inventor(s) and described in:

- x → ☒ the specification filed herewith,  
 one → ☐ Application No. 0 /, filed  
 two → ☐ Patent No.       , issued

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed in (A) and (B) below and no rights to the invention are held by any person, other than the inventor, who could not qualify under 37 CFR 1.9(d) as an individual, a small business concern, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee

ADDRESS

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee

ADDRESS

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\*NOTE:

Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, asserting to his/her status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the fee of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.26(b))

NAME OF PERSON SIGNING  
 TITLE OF PERSON OTHER THAN OWNER  
 ADDRESS OF PERSON SIGNING

Dr. Andreas Bergmann  
Vice President  
BRAHMS Diagnostica, GmbH, 16767 Hennigsdorf

SIGNATURE

DATE 26.10.1999

**FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS**

**RULE 63 (37 C.F.R.)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PM & S  
FORM**

As a below signed inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED RECEPTOR BINDING ASSAYS FOR THE DETECTION OF TSH RECEPTOR AUTOANTIBODIES AND REAGENTS AND REAGENT KIT FOR CARRYING OUT SUCH A RECEPTOR BINDING ASSAY**

the specification of which (CHECK applicable BOX(ES))  
☒ A. ☒ is attached hereto.  
☐ B. ☒ was filed on September 15, 1999 as U.S. Application No. 09/381,032  
☐ C. ☒ was filed as PCT International Application No. PCT/ EP99/00159 on January 13, 1999  
 and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 305(b) at any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

**PRIOR FOREIGN APPLICATION(S)**  
 Number 19801319.1 Country Germany

**Pay/MONTH/Year Filed**  
15 JAN 1998

**Date first laid-  
open or Published**

**Date Patented  
or Granted**

**Priority Claimed  
Yes No**  
 X

I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

**PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)**  
 Application No. (series code/serial no.) PCT/EP99/00159  
**Day/MONTH/Year Filed**  
13 JAN 1998

**Status**  
 pending, abandoned, patented  
PENDING

**Priority Claimed  
Yes No**  
 X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Suto LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 661-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assigned attorney/firm/organization who/which they substitute this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented undersigned I instruct the above firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	15773	Dale S. Lazer	28572	Mark G. Pauson	30793	Michael R. Demowczyk	36787
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G. Lloyd Knight	17608	Glenn J. Perry	28458	Paul F. McQuade	31542	Jack S. Banulka	37087
Carl G. Ima	18781	Kendrew H. Colton	30368	Ruth N. Morduch	31044	Adam H. Hess	41835
Kevin E. Joyce	20508	G. Paul Edgell	24230	Richard H. Zelden	27840		
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**(1) INVENTOR'S SIGNATURE:**

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(FOR ADDITIONAL INVENTORS, check box ☒ to attach PAT 116-2 same information for each re signature, name, date, citizenship, residence and address.)

DECLARATION AND POWER OF ATTORNEY  
(continued)

## ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date: 26/10/99

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(4) INVENTOR'S SIGNATURE:

Date: 26.10.99

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(5) INVENTOR'S SIGNATURE:

Date: 26/10/99

Jörg-Michael		HOLLDT	
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(6) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(8) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			